

Amendments  
to the  
1997 Detroit City Charter

- Sections 9-101, 9-102, and 9-103 repealed November 3, 1998
- Section 2-106 amended November 7, 2000
- Sections 7-1102 and 7-1108 amended November 6, 2001

Sec. 2-106. Standards of conduct.

1. The use of public office for private gain is prohibited. The city council shall implement this prohibition by ordinance, consistent with state law. The ordinance shall contain appropriate penalties for violations of its provisions. The ordinance shall provide for the reasonable disclosure of substantial financial interests held by any elective officer, appointee, or employee who regularly exercises significant authority over the solicitation, negotiation, approval, amendment, performance or renewal of city contracts, and in real property which is the subject of a governmental decision by the city or any agency of the city. The ordinance shall prohibit actions by elective officers, appointees, or employees which create the appearance of impropriety.

2. An independent board of ethics is created. The board of ethics shall consist of seven (7) members:

- A. Seven (7) members of the public:
  - 1. Three (3) who shall be appointed by the city council;
  - 2. Three (3) who shall be appointed by the mayor; and
  - 3. One (1) who shall be jointly appointed by the mayor and city council;
- B. None of the board members shall be removed by the respective appointing authority except for cause;
- C. The term of membership of the board shall be five (5) years, and not more than two (2) members' terms shall expire in any one (1) year;
- D. Each appointee may serve a maximum of two (2) consecutive five-year terms, not to exceed a total of ten (10) years.

Public members of the board shall be residents of the city who are not elective officers, appointees, or employees of the city at any time during their board membership. Members shall serve without compensation. All city elective officers, appointees, and employees shall be available for consultation with the board of ethics as it deems necessary. The board of ethics shall issue advisory opinions regarding the meaning and application of provisions of the Charter, city ordinances or other laws or regulations establishing standards of conduct for elective officers, appointees, or employees. Advisory opinions shall be rendered upon written request by an elective officer, appointee, or employee. Advisory opinions shall be published by the board annually in a report to the mayor and city council. The opinions shall not disclose the identity of the elective officers, appointees, or employees concerned.

All meetings of the board shall be open to the public, unless an individual involved in the matter to be addressed requests in writing that the meeting be closed, or unless otherwise provided by ordinance.

Consistent with state law, the board of ethics may recommend improvements in the standards of conduct to ensure the ethical behavior of city elective officers, appointees, and employees, or in the organization and procedures related to the administration and enforcement of those standards. The board of ethics shall be authorized by ordinance to conduct investigations on its own initiative, subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, appoint independent counsel when necessary, and to perform other functions essential to ensure the integrity of city government. The board shall establish its rules and procedures, in accordance with section 2-111 of this Charter. Funds sufficient to enable the board to perform its duties shall be appropriated annually.

3. Campaign finance reports. Every elective officer or candidate for election shall make public campaign contributions and expenditures by filing a report or reports thereof as required by state law.

(Amendment of 11-7-00)

#### Sec. 7-1102. Board of police commissioners.

The police department is headed by a five (5) member board of police commissioners. The members of the board shall be appointed by the mayor, subject to the approval of the city council. However, if the city council does not disapprove an appointment within thirty (30) days, an appointment is confirmed. The term of membership on the board is five (5) years and not more than one (1) member's term expires each year. The mayor shall not remove members of the board except for cause. All members of the board must be residents of the city. As nearly as possible, the board shall be representative of the total community. The board shall elect a chairman annually. A member of the board may not serve consecutive terms as chairman, nor may a person serve more than five (5) years consecutively as a member of the board. The board shall meet at the call of its chairman, but shall meet at least once each week. All meetings shall be public except that the board may, in its discretion, publicly reserve specified subjects for executive session. No member of the board shall have been an employee or elective or appointive officer of the city within three (3) years prior to appointment or while serving as a member of the board. Compensation for members of the board may be established by ordinance.  
(Amendment of 11-6-01)

#### Sec. 7-1108. Complaints.

Complaints concerning the police department filed anywhere in the department shall be forwarded immediately to the board secretary. Copies of the complaint shall be made available to each member of the board, the chief investigator, and the chief of police. The chief of police and the chief investigator for the board shall investigate a complaint immediately and file a report of findings with the board within forty-five (45) days. Within thirty (30) days of receipt of a complaint by the board secretary, the board shall send written communication informing the complainant that their complaint has been received, the guidelines on how the complaint will be handled, and the timeline on when the complainant shall receive a disposition on their complaint.

The board secretary shall keep a public docket of complaints and the disposition of each complaint after investigation.  
(Amendment of 11-6-01)

## ARTICLE 9. MISCELLANEOUS PROVISIONS

### CHAPTER 1. RESERVED\*

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\*Editor's note—A Charter amendment approved by the voters on Nov. 3, 1998 repealed former Ch. 1, §§ 9-101—9-103, of Art. 9 which pertained to Community Advisory Councils and derived from the 1997 Home Rule Charter